

Congress of the United States
Washington, DC 20515

March 17, 2010

0420

Julius Genachowski
Chairman, Federal Communications Commission
445 12th St SW
Washington, DC 20554

Dear Chairman Genachowski:

The Declaratory Ruling recently issued by the Commission concerning video relay services (DA 10-314) is a welcome commitment by the Commission to protect the integrity of the Telecommunications Relay Services Fund (TRS Fund).

We commend the renewed and vigorous oversight of relay services, but request that the Commission address the concerns of individuals dependent on these services, who include some of our constituents. Specifically, these concerns are as follows:


- The Commission's decision on how minutes generated by employees of relay providers are reimbursed through the Fund as business expenses could lead to unintended, but discriminatory, treatment of deaf, hard of hearing, speech disabled, and deaf-blind employees.
- The Commission's implementation of the above decision remains vague, particularly in how to differentiate between calls made for work purposes and calls made for personal purposes, both by employees making calls from their place of employment and employees making calls from a home-based office or remote location.
- The Commission's rules governing what types of relay calls are reimbursable need to be as clear and thorough as possible so providers are able to fully and proactively comply with the Commission's rules.

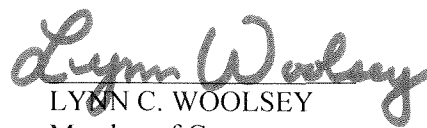
We urge the Commission to review DA 10-314 to ensure that the concerns raised by consumers of relay services are addressed, and that no harmful disruptions in relay service occur as a result of the Ruling's implementation.

We also urge the Commission to make such decisions in the future exclusively through a notice and comment process to enable a wide range of input to aid the Commission in developing thorough and sound policies that ensure the provision of stable and functionally equivalent telecommunications access for deaf, hard of hearing, speech disabled and deaf-blind people. Finally, we urge the Commission to take action to complete all outstanding rulemakings concerning telecommunications relay services, in order to ensure absolute clarity regarding the Commission's policy for the appropriate management of the TRS Fund.

We appreciate your attention to our concerns and look forward to working with you on this issue.

Very Truly Yours,


JAY INSLEE
Member of Congress


LYNN C. WOOLSEY
Member of Congress



ELIOT L. ENGEL
Member of Congress



MARY BONO MACK
Member of Congress



BARBARA LEE
Member of Congress



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

May 12, 2010

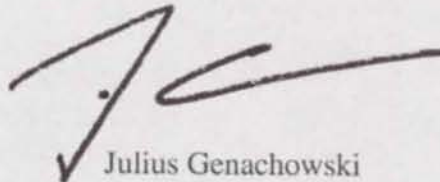
The Honorable Mary Bono Mack
U.S. House of Representatives
104 Cannon House Office Building
Washington, D.C. 20515

Dear Congresswoman Bono Mack:

Thank you for your letter regarding the *Declaratory Ruling* released on February 25, 2010, by the Commission's Consumer and Governmental Affairs Bureau. I share your support for VRS, which has become a critical communications tool for many who are deaf or hard of hearing. The *Ruling* reaffirmed the Commission's rules and policies concerning reimbursement and calling practices for the Video Relay Service (VRS). The Commission is monitoring the impact of the *Ruling* as we move forward with reform of the VRS. I have circulated a draft Notice of Inquiry for my colleagues' consideration as part of the VRS reform proceeding. I assure you that bringing clarity and predictability to VRS compensation will be high on our list of priorities, and we will resolve this proceeding as expeditiously as possible.

The Commission is dedicated to fulfilling the vision of Congress for a nationwide Telecommunications Relay Service, and I appreciate your continuing interest in this very important matter. Please let me know if I can be of any further assistance.

Sincerely,



Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

May 12, 2010

The Honorable Eliot L. Engel
U.S. House of Representatives
2161 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Engel:

Thank you for your letters regarding reimbursements from the Interstate TRS Fund to Snap Telecommunications, Inc., for provision of Video Relay Service (VRS), and the *Declaratory Ruling* released on February 25, 2010, by the Commission's Consumer and Governmental Affairs Bureau. I share your support for VRS, which has become a critical communications tool for many who are deaf or hard of hearing. Commission staff is familiar with Snap's concerns, and has had ongoing discussions with the company.

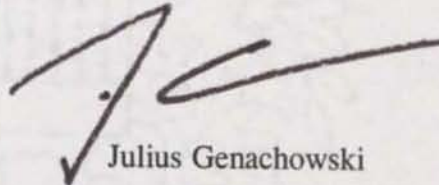
The Commission remains dedicated to fulfilling the objectives of Congress when it created the VRS program. Please be assured that all forms of TRS, including VRS, remain available to everyone who needs them. In fact, the Commission has begun a process to strengthen and protect VRS. The February 2010, *Declaratory Ruling* reaffirmed the Commission's rules and policies concerning reimbursement and calling practices for the Video Relay Service (VRS). The Commission is monitoring the impact of the *Ruling* as we move forward with reform of the VRS. I have circulated a draft Notice of Inquiry for my colleagues' consideration as part of the VRS reform proceeding. I assure you that bringing clarity and predictability to VRS compensation will be high on our list of priorities, and we will resolve this proceeding as expeditiously as possible.

As you note, the Commission also has been reviewing particular allegations involving the provision of VRS. The Commission does not confirm or discuss the occurrence of any ongoing investigation. We share your goal, however, that TRS providers receive fair compensation in accordance with the Communications Act. To ensure this, the TRS Fund Administrator – currently NECA – reviews all monthly reimbursement requests from TRS providers, pursuant to Section 225 of the Communications Act and Commission rules. In appropriate circumstances, the Commission may suspend or delay payment to a provider. To the extent that payment is withheld from a provider under these rules, payment will be made if subsequent review determines that the service minutes claimed are compensable under the Act and the Commission's rules. This process gives the provider an opportunity to explain and support its submission.

Page 2—The Honorable Eliot L. Engel

We hope to resolve Snap's concerns as soon as possible. I appreciate your continuing interest in this important matter. Please let me know if I can be of any assistance.

Sincerely,

A handwritten signature in dark ink, consisting of a stylized 'J' followed by a horizontal line and a small checkmark-like flourish at the end.

Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

May 12, 2010

The Honorable Jay Inslee
U.S. House of Representatives
403 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Inslee:

Thank you for your letter regarding the *Declaratory Ruling* released on February 25, 2010, by the Commission's Consumer and Governmental Affairs Bureau. I share your support for VRS, which has become a critical communications tool for many who are deaf or hard of hearing. The *Ruling* reaffirmed the Commission's rules and policies concerning reimbursement and calling practices for the Video Relay Service (VRS). The Commission is monitoring the impact of the *Ruling* as we move forward with reform of the VRS. I have circulated a draft Notice of Inquiry for my colleagues' consideration as part of the VRS reform proceeding. I assure you that bringing clarity and predictability to VRS compensation will be high on our list of priorities, and we will resolve this proceeding as expeditiously as possible.

The Commission is dedicated to fulfilling the vision of Congress for a nationwide Telecommunications Relay Service, and I appreciate your continuing interest in this very important matter. Please let me know if I can be of any further assistance.

Sincerely,

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

May 12, 2010

The Honorable Barbara Lee
U.S. House of Representatives
2444 Rayburn House Office Building
Washington, D.C. 20515

Dear Congresswoman Lee:

Thank you for your letter regarding the *Declaratory Ruling* released on February 25, 2010, by the Commission's Consumer and Governmental Affairs Bureau. I share your support for VRS, which has become a critical communications tool for many who are deaf or hard of hearing. The *Ruling* reaffirmed the Commission's rules and policies concerning reimbursement and calling practices for the Video Relay Service (VRS). The Commission is monitoring the impact of the *Ruling* as we move forward with reform of the VRS. I have circulated a draft Notice of Inquiry for my colleagues' consideration as part of the VRS reform proceeding. I assure you that bringing clarity and predictability to VRS compensation will be high on our list of priorities, and we will resolve this proceeding as expeditiously as possible.

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Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

May 12, 2010

The Honorable Lynn Woolsey
U.S. House of Representatives
2263 Rayburn House Office Building
Washington, D.C. 20515

Dear Congresswoman Woolsey:

Thank you for your letter regarding the *Declaratory Ruling* released on February 25, 2010, by the Commission's Consumer and Governmental Affairs Bureau. I share your support for VRS, which has become a critical communications tool for many who are deaf or hard of hearing. The *Ruling* reaffirmed the Commission's rules and policies concerning reimbursement and calling practices for the Video Relay Service (VRS). The Commission is monitoring the impact of the *Ruling* as we move forward with reform of the VRS. I have circulated a draft Notice of Inquiry for my colleagues' consideration as part of the VRS reform proceeding. I assure you that bringing clarity and predictability to VRS compensation will be high on our list of priorities, and we will resolve this proceeding as expeditiously as possible.

The Commission is dedicated to fulfilling the vision of Congress for a nationwide Telecommunications Relay Service, and I appreciate your continuing interest in this very important matter. Please let me know if I can be of any further assistance.

Sincerely,

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Julius Genachowski